

REMARKS

The present application was filed on October 30, 2003 with claims 1-36. Claims 1-28 have been canceled without prejudice and claims 29-36 remain pending. Claims 29 and 36 are the pending independent claims.

In the outstanding Office Action, the Examiner: (i) rejected claims 29, 31, 32 and 34-36 under 35 U.S.C. § 102(b) as being anticipated by S.A. Wolfman et al., “Mixed Initiative Interfaces for Learning Tasks: SMARTedit Talks Back” (hereinafter “Wolfman”); (ii) rejected claim 30 under 35 U.S.C. § 103(a) as being unpatentable over Wolfman in view of U.S. Patent No. 5,748,975 (hereinafter “Van De Vanter”); and (iii) rejected claim 33 under 35 U.S.C. § 103(a) as being unpatentable over Wolfman in view of U.S. Patent Publication No. 2004/0078682 (hereinafter “Huang”).

With regard to the §102(b) rejection under Wolfman, Applicants initially note that it is well-established law that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). Applicants assert that the rejection based on Wolfman does not meet this basic legal requirement.

With regard to the §102(b) rejection of independent claims 29 and 36, Applicants contend that Wolfman fails to teach each and every limitations of the recited claims because Wolfman discloses techniques unrelated to the present invention.

Wolfman proposes an interface for machine learning that resembles a teacher-student (user-computer) relationship. Wolfman, Abstract. Wolfman describes a variety of rich interaction modes that enhance the learning process and presents a decision-theoretic framework, called DIAManD, for choosing the best interaction between the user (teacher) and computer (machine learning system). *Id.* The framework is applied specifically to SMARTedit and demonstrates experimental validation and preliminary user feedback. *Id.* As stated in the preamble of the independent claims, the present invention recites customizing a control of a user-interface of an existing application. See Claims 29 and 36. Wolfman does not propose to customize a control of a user-interface of an existing application as claimed.

Applicants traverse the rejection of claims 29, 31, 32 and 34-36 based on Wolfman based on the arguments presented in their Appeal Brief dated January 29, 2009, the disclosure of which is incorporated herein in its entirety.

Nonetheless, Applicants have amended independent claims 29 and 36 in an effort to further clarify the claimed subject matter and move the application through to allowance without having to reinstate the appeal.

In particular, Applicants have made clear that the step/operation of customizing the control of the user-interface by installing a user-interface control is performed in response to the recording step. This is not the case with Wolfman. The so-called customization of the user SMARTedit interface in FIG. 2 to the SMARTedit/DIAManD user interface of FIG. 4 that the Examiner points to, is done by the application programmer not the application user. That is, the user gets the application the way it looks in FIG. 4, it is not customized by the user. As the independent claims now recite, the customization of the interface, wherein a user-interface control is installed, is done in response to the recording step. This way, as explained at page 2, lines 2-4, of the present specification, the methodology allows for the installation of any new or modified control into any existing application to suit a specific user. The “modification” of the SMARTedit user interface in Wolfman is done by the programmer. The user of SMARTedit gets the application with the DIAManD control panel already in it.

Secondly, Applicants have made clear that the user-interface control is specific to the procedure description in the existing application for automatic execution of the procedure description and generation of the series of actions performed by the user when the user-interface control is activated. This is not the case in Wolfman. That is, the “controls” in the “Interaction Control Panel” in the SMARTedit user interface of FIG. 4 of Wolfman are not specific to any recorded procedure. That is, the “controls” are generic, i.e., “record one step,” “step,” “run to end of example” . . . “jump and record an example.”

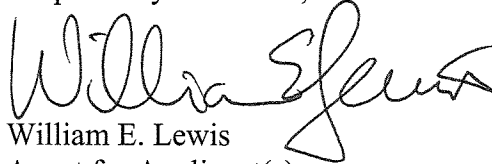
It follows that claims 30-35 are not anticipated by Wolfman or any combination including Wolfman at least by virtue of their dependencies from independent claim 29. Further, dependent claims 30-35 recite patentable subject matter in their own right. Neither Van De Venter nor Huang remedy the deficiencies of Wolfman.

Applicants have added new method claim 37 which has similar limitations to independent claims 29 and 36.

Accordingly, Applicants respectfully request withdrawal of the respective §102 and §103 rejections of claims 29-36.

In view of the above, Applicants believe that claims 29-37 are in condition for allowance, and respectfully request favorable reconsideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "William E. Lewis", with a stylized flourish at the end.

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